DOCUMENT RESUME

ED 402 647 EA 028 081

TITLE	How To File a Discrimination Complaint with the Office for Civil Rights.
INSTITUTION	Office for Civil Rights (ED), Washington, DC.
PUB DATE	95
NOTE	6p.
PUB TYPE	Reports - Descriptive (141)
EDRS PRICE	MF01/PC01 Plus Postage.
DESCRIPTORS	Age Discrimination; *Civil Rights; *Civil Rights Legislation; *Compliance (Legal); Disabilities; Elementary Secondary Education; *Equal Education; Federal Legislation; *Grievance Procedures; Higher Education; Public Agencies; Racial Discrimination; Sex Discrimination; Social Discrimination
IDENTIFIERS	Office for Civil Rights

ABSTRACT

The Office for Civil Rights (OCR), in the U.S. Department of Education, is a law enforcement agency. It is charged with enforcing the federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, sex, disability, and age in programs and activities that receive federal financial assistance. These laws are as follows: (1) Title VI of the Civil Rights Act of 1964; (2) Title IX of the Education Amendments of 1972; (3) Section 504 of the Rehabilitation Act of 1973; (4) Age Discrimination Act of 1975; and (5) Title II of the Americans with Disabilities Act of 1990. This brochure provides information on how to file a discrimination complaint with the OCR. It specifies who can file, rules for timeliness of the filing, institutional grievance procedures, and what information to include in the complaint. The brochure also contains contact information for the regional OCR offices in order to request further assistance and copies of the Discrimination Complaint Form. (LMI)

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HOW TO FILE A DISCRIMINATION COMPLAINT WITH THE OFFICE FOR CIVIL RIGHTS

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EA 028 051

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WHO CAN FILE

Anyone who believes that an educational institution that receives Federal financial assistance has discriminated against someone on the basis of race, color, national origin, sex, handicap, or age may file a complaint. The person or organization filing the complaint need not be a victim of the alleged discrimination, but may complain on behalf of another person or group.

TIMELINESS

A complaint must be filed within 180 calendar days of the date of the alleged discrimination, unless the time for filing is extended by OCR for good cause.

INSTITUTIONAL GRIEVANCE PROCEDURES

Prior to filing a complaint with OCR against an institution, a potential complainant may want to find out about the institution's grievance process and use that process to have the complaint resolved. A complainant is not required by law to use the institutional grievance procedure before filing a complaint with OCR. If a complainant uses an institutional grievance process and also chooses to file the complaint with OCR, the complaint must be filed with OCR within 60 days after the last act of the institutional grievance process.

WHERE TO WRITE

For further assistance and for copies of the Discrimination Complaint Form, contact the OCR regional office that serves the state in which the alleged discrimination occurred.

Region I
Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

Office for Civil Rights, Region I
U.S. Department of Education
J.W. McCormack Post Office and Courthouse
Room 222, 01-0061
Boston, MA 02109-4557
(617) 223-9662; TDD (617) 223-9695

Region II
New Jersey, New York, Puerto Rico, Virgin Islands

Office for Civil Rights, Region II
U.S. Department of Education
26 Federal Plaza, 33rd Floor
Room 33-130, 02-1010
New York, NY 10278-0082
(212) 264-4633; TDD (212) 264-9464

Region III
Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia

Office for Civil Rights, Region III
U.S. Department of Education
3535 Market Street, Room 6300, 03-2010
Philadelphia, PA 19104-3326
(215) 596-6772; TDD (215) 596-6794

Region IV

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee

Office for Civil Rights, Region IV
U.S. Department of Education
Post Office Box 2048, 04-3010
Atlanta, GA 30301-2048
(404) 331-2954; TDD (404) 331-7816

Region V

Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

Office for Civil Rights, Region V
U.S. Department of Education
401 South State Street, Room 700C, 05-4010
Chicago, IL 60605-1202
(312) 886-3456; TDD (312) 353-2541

Region VI

Arkansas, Louisiana, New Mexico, Oklahoma, Texas

Office for Civil Rights, Region VI
U.S. Department of Education
1200 Main Tower Building
Suite 2260, 06-5010
Dallas, TX 75202-9998
(214) 767-3959; TDD (214) 767-3639

Region VII

Iowa, Kansas, Missouri, Nebraska

Office for Civil Rights, Region VII
U.S. Department of Education
10220 North Executive Hill Boulevard
8th Floor, 07-6010
Kansas City, MO 64153-1367
(816) 891-8026; TDD (816) 374-6461

Region VIII

Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

Office for Civil Rights, Region VIII
U.S. Department of Education
Federal Office Building
1244 Speer Blvd., Suite 310, 08-7010
Denver, CO 80204-3582
(303) 844-5695; TDD (303) 844-3417

Region IX

Arizona, California, Hawaii, Nevada, American Samoa, Guam, Trust Territory of the Pacific Islands

Office for Civil Rights, Region IX
U.S. Department of Education
Old Federal Building
50 United Nations Plaza, Room 239, 09-8010
San Francisco, CA 94102-4102
(415) 556-7000; TDD (415) 556-6806

Region X

Alaska, Idaho, Oregon, Washington

Office for Civil Rights, Region X
U.S. Department of Education
915 Second Avenue, Room 3310, 10-9010
Seattle, WA 98174-1099
(206) 553-6811; TDD (206) 553-4542

Headquarters

Director, Policy and Enforcement Service
Office for Civil Rights
U.S. Department of Education
Mary E. Switzer Building
330 "C" Street, S.W.
Washington, D.C. 20202
(202) 732-1635; TDD (202) 732-1663

★U.S. GOVERNMENT PRINTING OFFICE: 1995-0-396-917

The Office for Civil Rights (OCR) enforces five Federal statutes that prohibit discrimination in programs and activities that receive Federal financial assistance from the Department of Education (ED). Discrimination on the basis of race, color, and national origin is prohibited by Title VI of the Civil Rights Act of 1964; sex discrimination is prohibited by Title IX of the Education Amendments of 1972; discrimination on the basis of handicap is prohibited by Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990; and age discrimination is prohibited by the Age Discrimination Act of 1975.

The civil rights laws enforced by OCR extend to all state education agencies, elementary and secondary school systems, colleges and universities, vocational schools, proprietary schools, state vocational rehabilitation agencies, libraries, and museums that receive Federal financial assistance from ED. Programs and activities that receive ED funds must be operated in a nondiscriminatory manner. Such programs or activities may include, but are not limited to: admissions, recruitment, financial aid, academic programs, student treatment and services, counseling and guidance, discipline, classroom assignment, grading, vocational education, recreation, physical education, athletics, housing, and employment.

WHAT TO DO

Anyone wishing to file a formal complaint with OCR should submit in writing the following information in a letter or on the Discrimination Complaint Form available from OCR regional offices (see listing on panel iv).

- Your name and address (a telephone number where you may be reached during business hours is helpful, but not required);

- A general description of the person(s) or class of persons injured by the alleged discriminatory act(s) (names of the injured person(s) are not required);

- The name and location of the institution that committed the alleged discriminatory act(s); and

- A description of the alleged discriminatory act(s) in sufficient detail to enable OCR to understand what occurred, when it occurred, and the basis for the alleged discrimination (race, color, national origin, sex, handicap, or age).

A recipient may not retaliate against any person who has made a complaint, testified, assisted or participated in any manner in an investigation or proceeding under the four statutes listed above.

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